



Ventura County
Air Pollution
Control District

669 County Square Drive
Ventura, California 93003

tel 805/645-1400
fax 805/645-1444
www.vcapcd.org

Michael Villegas
Air Pollution Control Officer

August 16, 2019

Richard Corey
Executive Officer
California Air Resources Board
P.O. Box 2815
Sacramento, CA 95812

RE: Commitment by the Ventura County Air Pollution Control District to Adopt Rule Amendments as Contingency Measures for the 2008 8-Hour Ozone Standard

Dear Mr. Corey,

The Clean Air Act Sections 172(c)(9) and 182(c)(9) require contingency measures if an ozone nonattainment area fails to meet Reasonable Further Progress (RFP) milestones or to attain the national primary ambient air quality standard by the attainment date. Due to the recent *Bahr* court decision (836 F.3d 1218 (9th Cir. 2016)), the U.S. Environmental Protection Agency (U.S. EPA) has requested that Ventura County Air Pollution Control District (VCAPCD) include an additional contingency measure in the 2016 Ventura County Air Quality Management Plan (2016 AQMP) to be triggered upon failure to meet the RFP milestone for the 2008 8-hour ozone standard or to attain the standard by the 2020 attainment date. As such, VCAPCD commits to amend at least one of the following rules listed below, through the required public process and subsequent Board approval, for inclusion as a contingency measure in the 2016 AQMP for the 2008 8-hour Ozone Standard. This commitment should provide U.S. EPA with the basis to conditionally approve the VCAPCD contingency measure element of the 2016 AQMP.

- Amendment to Rule 74.26, Crude Oil Storage Tank Degassing Operations. The amendment to Rule 74.26 will include new requirements for reducing Volatile Organic Compounds (VOCs) emissions from cleaning, removing, repair and depressurizing of pipelines that would apply if triggered by an RFP milestone failure or failure to attain determination. Currently, the VOC emissions from these operations are not being controlled and are directly vented to the atmosphere.
- Amendment to Rule 74.14, Polyester Resin Material Operations. The rule currently requires the monomer VOC content of the polyester resin material to be no more than 35 percent by weight and does not contain limits for the VOC content of non-monomer. In addition to the separate monomer VOC limit, the amendment to Rule 74.14 will require a non-monomer content VOC limit of no more than 5 percent by weight if triggered by an RFP milestone failure or failure to attain determination.

- Amendments to Rule 74.2, Architectural Coatings. The amendments to Rule 74.2 will include the Architectural Coating Suggested Control Measure (SCM), "model rule", developed and adopted by California Air Resources Board (CARB) on May 21, 2019. The amendments will lower the VOC limit for coating categories, delete the Specialty Primer, Sealer, and Undercoater categories and regulate them as just primers, sealers and undercoaters, add the specialty coating categories (Interior Stains, and Tile and Stone Sealers), and lower the VOC content limits for colorants using the limits specified in SCM, once again, if triggered by an RFP milestone failure or failure to attain determination.

Under this commitment, VCAPCD will adopt the rule amendment and transmit the amended rule to CARB for submittal to U.S. EPA within 12 months of the U.S. EPA's final action on the RFP or attainment contingency measure element of the 2016 AQMP for the 2008 8-hour ozone standard.

This letter requests that CARB forward this commitment to U.S. EPA for their consideration in their proposed action on the 2016 AQMP. If you have any questions or would like to discuss the above items, please contact me at 805-645-1440, mike@vcapcd.org, or Ali Ghasemi, Division Manager of Planning, Rule Development and Incentive programs at 805-645-1427, aghasemi@vcapcd.org.

Sincerely,



Michael Villegas
Air Pollution Control Officer

cc (email): Amy Zimpfer, U.S. EPA, Region IX
Mike Stoker, U.S. EPA, Region IX
Elizabeth Adams, U.S. EPA, Region IX
John Kelly, U.S. EPA, Region IX
Anita Lee, U.S. EPA, Region IX
Michael Benjamin, CARB
Sylvia Vanderspek, CARB
Carol Sutkus, CARB
Ariel Fideldy, CARB
Stephanie Parent, CARB
Ali Ghasemi, VCAPCD
C. Alan Ballard, VCAPCD
Ali-Lakhdar-Hamina, VCAPCD
Danny McQuillan, VCAPCD
Tyler Harris, VCAPCD